

June 7, 2024

VIA ELECTRONIC AND CERTIFIED MAIL

Liz Dupont-Diehl CT Citizen Action Group 30 Arbor Street #105 Hartford, CT 06106

RE: MUR 8048

Fight for Connecticut

Dear Ms. Dupont-Diehl:

This is in reference to the complaint filed with the Federal Election Commission on August 9, 2022, concerning Fight for Connecticut. Based on that complaint, after considering the circumstances of this matter, the Commission determined to dismiss this matter and close the file on May 8, 2024.

The General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed. Documents related to the case will be placed on the public record. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson

Acting General Counsel

BY: Wanda D. Brown

Assistant General Counsel

Wanda D. Brown

Enclosure General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION 1 2 ENFORCEMENT PRIORITY SYSTEM 3 4 DISMISSAL REPORT 5 6 MUR: 8048 **Respondent:** Fight for Connecticut and Bill Cortese in his official capacity as 7 8 treasurer 9 Complaint Receipt Date: August 9, 2022 10 Response Date: May 25, 2023 11 12 13 14 Alleged Statutory and 52 U.S.C. § 30104(a) 15 **Regulatory Violations:** 11 C.F.R. §§ 104.1(a), 104.5(c) 16 17 The Complaint alleges that Fight for Connecticut and Bill Cortese in his official capacity 18 19 as treasurer (the "Committee") violated the Federal Election Campaign Act of 1971, as amended (the "Act"), by failing to file its 2021 Year-End and 2022 April Quarterly and July Quarterly 20 Reports. The Complaint further alleges that Cortese is a paid staff person "at the PAC, in 21 possible violation of federal rules."² The Complaint does not identify the PAC in question. 22 The Committee, in response, acknowledges that it did not file the reports and indicates 23 that Cortese moved to a different address after he became treasurer and therefore did not receive 24 notices from the Commission at his new home address (his previous address remained on the 25 Committee's Statement of Organization which was not amended).³ The Committee states that, 26 because Cortese did not receive the notices, the reports were not filed when they were due.⁴ The 27 Response further states that Cortese will prepare and file the 2021 Year-End Report and all 2022 28 Ouarterly Reports, but that to the best of his knowledge, there were no receipts or disbursements 29 Compl. at 1 (Aug. 9, 2022). Id.

Resp. at 1 (May 15, 2023).

⁴ Id.

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- 1 made in 2022.⁵ Finally, to the extent that the PAC identified by the Complaint might be the
- 2 Committee, the Response states that Cortese denies receiving any payment from the Committee.⁶
- 3 The Committee has to date failed to file any of the missing disclosure reports. ⁷ The only
- 4 disclosure report that the Committee filed during the 2022 election cycle, its 2021 Mid-Year
- 5 Report, showed \$25 in total receipts and \$5,153.47 in total disbursements.⁸
- Based on its experience and expertise, the Commission has established an Enforcement
- 7 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
- 8 assess whether particular matters warrant further administrative enforcement proceedings. These
- 9 criteria include (1) the gravity of the alleged violation, taking into account both the type of
- activity and the amount in violation; (2) the apparent impact the alleged violation may have had
- on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
- trends in potential violations and other developments in the law. This matter is rated as low
- priority for Commission action after application of these pre-established criteria. Given that low
- rating, Respondent's statements regarding Committee activity since the last filed report, the
- vague nature of the second allegation, and the apparent minimal impact of the potential reporting
- violations, we recommend that the Commission dismiss the Complaint consistent with the
- 17 Commission's prosecutorial discretion to determine the proper ordering of its priorities and use

⁵ *Id*.

⁶ *Id.*; see Fight for Connecticut, 2021 Mid-Year Report (July 12, 2021), https://docquery.fec.gov/pdf/173/202107129451017173/202107129451017173.pdf (showing no disbursements from the Committee to Cortese).

⁷ See Filings, Campaign Finance Data, Browse Data for Fight for Connecticut (last visited Nov. 9, 2023), https://www.fec.gov/data/filings/?data_type=processed&q_filer=C00750711.

⁸ Fight for Connecticut, 2021 Mid-Year Report (July 12, 2021), https://docquery.fec.gov/pdf/173/202107129451017173/202107129451017173.pdf.

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- 1 of agency resources. 9 We also recommend that the Commission close the file as to all
- 2 respondents and send the appropriate letters.

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4	May 1, 2024 Date	Lisa J. Stevenson
5		Acting General Counsel
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8		Charles Kitcher
9		Associate General Counsel
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22		Rachel Coll
23		Rachel E. Coll
24		Staff Attorney
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See Heckler v. Chaney, 470 U.S. 821, 831-32 (1985).